

Fact Sheet

AB 706

(Committee on Human Services)

THE PROBLEM

California's child welfare system is responsible for ensuring the protection and safety of children at risk of abuse, neglect or abandonment. When it is necessary for the state to remove a child from his or her parents, the primary objective of the child welfare and foster care systems is to safely reunify the child with his or her family. To support that objective, in most cases the juvenile court orders "reunification services," such as counseling or treatment, for the child and the child's parent(s). If the child is under the age of three, these reunification services are offered for a period of six months. If the child is over the age of three, the services are offered for twelve months. In some circumstances, the time periods for services can be extended to a maximum of 24 months.

In 2008, AB 2341 (Maze) changed the statutes governing reunification services to clarify that children and families in the child welfare system should typically receive a full six months of reunification services if the child is under three years of age, and twelve months if the child is over three years of age. AB 2341 also established a clearer process for early termination of reunification services when new evidence or a change of circumstances means that reunification is no longer an appropriate goal. As a result, children and their parents can rest assured that they will receive reunification services pursuant to the court's order in the absence of new evidence or a change of circumstances.

After AB 2341 was enacted, concerns were expressed that its statutory changes may create unintended confusion about the scheduling of review hearings in juvenile courts.

THIS BILL

In response to the concerns raised about potential for confusion about the timing of court hearings, a diverse workgroup of stakeholders was formed to develop minor, technical fixes to clean-up AB 2341's changes to the Welfare & Institutions Code (WIC). The workgroup unanimously agreed on technical changes that should be made. These changes will minimize any potential confusion by clarifying, as quickly as possible, that the court should not hold what is known as a "6-month" review hearing longer than 12 months after the date a child entered into foster care.

AB 706 also makes other minor technical changes to WIC. For example, the existing definition of when a child is considered to have entered foster care will be moved from where it was buried in WIC 361.5 (a)(1)(C) to a new stand-alone WIC 361.49.

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Children's Law Center of Los Angeles

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